

REMARKS/ARGUMENTS

Claims 11-23 are pending in this application. Claims 11-16, 18, 20, 22, and 23 stand rejected, claim 11 is amended, and claims 17, 19, and 21 are withdrawn from consideration. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 11, 12, 14-16, 18, 22, and 23 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Publication No. 2004/0116228 ("Thompson") in view of U.S. Patent No. 6,691,806 ("Wolfgang"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

Among the limitations of independent claim 1 not present in the cited in the combination is "at least two energy sources which can be operated independently of one another, each said energy sources providing electric current to said traction drive and said electric steering drive."

Applicant notes that in a track vehicle, as the drive system fails, the vehicle should be drivable and steerable, even with partial damage to the drive system in order to move itself, for example, out of a danger zone under its own power or with reduced drive power. (Application as filed, paragraph 3). Thus, the pending claims explicitly recite that the electric steering drive system includes at least two energy sources which can be operated independently of one another with said energy sources providing electric current to said traction drive and said electric steering drive.

The Office Action acknowledges that Thompson lacks two energy sources. The Office Action attempts to cure this deficiency with Wolfgang. However, Applicant notes that although Wolfgang discloses first and second internal combustion engines, Wolfgang fails to disclose that the

two energy sources can be operated independently of one another to provide electric current to the traction drive and the electric steering drive.

Applicant notes that in Thompson, a single energy source powers propulsion motors 74a and 74b as well as steering motor 71. (Thompson, p. 3, par. [0040]). Because there is only a single power source in Thompson, there is no disclosure of operating multiple energy sources independently of one another to power the propulsion and steering motors.

Applicant submits that the inclusion of Wolfgang fails to cure this deficiency. In Wolfgang, a first and second right hand electric drive motor are each associated with the right hand drive track and first and second left hand electric drive motors are associated with the left hand drive track. The two first drive motors are fed by a first generator and the two second drive motors are fed by a second generator. (Wolfgang, col. 1, 11. 37-42). As a result of the configuration in Wolfgang, if either of the redundant drive motors of the drive unit is damaged, the track vehicle can still be driven because there is still a drive motor for each track. If the first internal combustion engine or the first generator is out of action, the second combustion energy and second generator are still there to drive the two tracks. (See Wolfgang at column 1 lines 47-50). Thus, Wolfgang discloses that the two energy sources i.e., internal combustion engines 10, 12 or electric generators 6, 8 should be redundantly connected in the event of a drive mechanism failure. However, there is no teaching in either Thompson or Wolfgang of two independent energy sources providing electric current to the driving mechanism and for the steering mechanism as disclosed and claimed in the present application.

For at least these reasons, claims 11, 12, 13, 14-16, 18, 22, and 23 are allowable over the combination of Thompson and Wolfgang.

Claims 13 and 20 stand rejected under 35 USC §103(a) as being unpatentable over Thompson and Wolfgang in view of U.S. Patent No.: 4,917,200 ("Lucius"). Applicant respectfully respects reconsideration and withdrawal of this rejection.

Lucius was not added to cure the deficiency of the primary combination discussed above but to show additional limitations which, even if it was to show, do not cure the deficiency discussed above. As such, claims 13 and 20 are deemed to be allowable over the cited combination.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: March 30, 2009